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DATE MAILED: 05/19/2004

APPLICATION NO.	FIL	ING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,885	784,885 02/16/2001		Charles Hall Schleyer	JJA-0101	5210
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner Cephia D. Toomer 1714 The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).	<u> </u>		Application No.	Applicant(s)				
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Art Unit: 1714

DETAILED ACTION

This Office action is in response to the amendment filed January 26, 2004 in which claims 1-5, 11 and 15 were canceled, claims 6-10 and 12-14 were amended and claims 16-19 were added. All previous rejections are withdrawn in view of Applicant canceling and amending the claims and in view of Applicant's arguments.

Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the first paragraph of 35 U.S.C. 112:
 - The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
- 2. Claims 6-10, 12-14 and 16-19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 6 is rejected because neither the specification nor the original claims support a fuel that set forth all of the recited properties and wherein the oxygen content is 1.5-2.9.

Claim 7 is rejected because neither the specification, the original claims, nor claim 18 supports a fuel that sets forth all of the recited properties and wherein the RVP maximum is 6.6 psi.

Application/Control Number: 09/784,855

Art Unit: 1714

Claim 8 is rejected because neither the specification, the original claims nor claim 18 supports a fuel that sets forth all of the recited properties and wherein the RVP is 6.6 to 6.9 psi.

Claim 9 is rejected because neither the specification, the original claims nor claims 10,16,17 18 and 19 support a fuel that sets forth all of the recited properties and wherein the T_{90} °F is 315-325.

Claim 10 is rejected because neither the specification nor the original claims support a fuel that sets forth all of the recited properties and wherein the oxygen content is 1.5-2.9.

Claims 12 and 13 are rejected because neither the specification, the original claims, nor claim 10,16, 17 and 19 support the octane rating, aromatic content and benzene content.

Claim 14 is rejected because neither the specification, original claims nor claims 10,16, 17 or 19 supports a fuel that sets forth all of the recited properties and wherein the sulfur content is not more than 25 ppmw.

Claims 16 is rejected because neither the specification nor the original claims support a fuel that sets forth all of the recited properties and wherein the oxygen content is 1.5 –2.9,

Claims 17 and 18 are rejected because the specifications and claims do not support a fuel composition comprising all of the recited properties and wherein the aromatic content is not more than 28 vol%.

Application/Control Number: 09/784,855

Art Unit: 1714

3. The amendment is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the subject matter added at page 10 as it pertains to the above rejected claims.

Applicant is required to cancel the new matter in the reply to this Office Action.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cephia D. Toomer whose telephone number is 571-272-1126. The examiner can normally be reached on Monday-Thursday.

Art Unit: 1714

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

-Céphia D. Toomer Primary Examiner Art Unit 1714

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